

District Judge Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

E.L.A. and O.L.C.,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. C20-1524-RAJ

STIPULATED MOTION FOR
PROTECTIVE ORDER

NOTE ON MOTION CALENDAR:
August 4, 2023

The Parties, by and through the undersigned counsel, jointly stipulate and move the Court to enter a Protective Order pursuant to LCR 26(c) to permit the disclosure of confidential information in this case. Beginning with their Rule 26(f) conference, the Parties discussed entering into a protective order that would efficiently facilitate disclosures and production, including tens of thousands of pages of documents originating from multiple government agencies in two related lawsuits in the District Court of Arizona (“Common Discovery”), and additional government documentation concerning the separation, detention during separation, and reunification of Plaintiffs. The parties met and conferred and agreed to a proposed stipulated Protective Order that includes numerous modifications from this District’s Model Protective Order (“MPO”). The proposed Protective Order is attached hereto as Exhibit A and the redlined version identifying departures from the MPO is attached hereto as Exhibit B.

1 The Parties' proposed stipulated Protective Order is the product of collaborative efforts
 2 between counsel for Plaintiffs and Defendant to present a mutually acceptable protective order
 3 that conforms in large part with the provisions and procedures of the MPO while also tailoring
 4 that order to reflect the nature of the documents at issue in this case and the significant discovery
 5 efforts that have already been taken in the District of Arizona lawsuits. This case involves
 6 disclosures relating to the creation, development, and implementation of agency policies by
 7 national-level policymakers, as well as agency officials and employees at the regional or local
 8 level who may have been involved operationally in carrying out these policies; and immigration
 9 specific information for Plaintiffs, including A-Files, I-213s, and detention documentation. The
 10 Common Discovery that Plaintiffs have requested Defendant to produce contains nearly 60,000
 11 pages of related documents pursuant to an extensively-negotiated stipulated protective order in
 12 the District of Arizona, as well as a corollary evidentiary order. *See* Stipulated Protective Order,
 13 *A.P.F., et al. v. United States*, Civil Action No. CV20-00065-PHX-SRB, ECF No. 45. In
 14 addition, multiple federal agencies of Defendant have been collecting other documentation
 15 concerning the separation, detention during separation, and reunification of Plaintiffs. The
 16 Parties' proposed Protective Order balances the sensitivities of this documentation with the need
 17 for efficient and timely disclosure.

18 Accordingly, the Parties respectfully request the Court to enter the proposed Protective
 19 Order or otherwise direct the Parties to submit further briefing, if the Court deems it necessary,
 20 to justify the modifications in the proposed Protective Order.

21 DATED August 4, 2023.

22 Respectfully submitted,

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14 *Attorneys for the United States*

ORDER

IT IS SO ORDERED.

Dated this _____ day of _____, 2023.

The Honorable Richard A. Jones
United States District Judge